



DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY  
1000 NAVY PENTAGON  
WASHINGTON, DC 20350-1000

SECNAVINST 5740.29A  
ASN(FM&C): FMBE  
26 Sep 2005

SECNAV INSTRUCTION 5740.29A

From: Secretary of the Navy

Subj: RELATIONSHIPS WITH HOUSE APPROPRIATIONS COMMITTEE SURVEYS  
AND INVESTIGATIONS (HAC S&I) STAFF

Ref: (a) DOD Instruction 5500.16 of 21 Oct 96 (NOTAL)  
(b) DOD Directive 5400.4 of 30 Jan 78 (NOTAL)

Encl: (1) Sample Announcement Memorandum

1. Purpose.

a. To issue guidance and direction for Department of the Navy (DON) personnel when addressing inquiries by the Surveys and Investigations (S&I) Staff of the House Appropriations Committee (HAC).

b. To implement references (a) and (b).

c. To describe roles, responsibilities, and procedures.  
This instruction has been administratively revised and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 5740.29.

3. Background. The S&I Staff investigates/studies the organization and operation of any Executive Branch Agency when deemed necessary by the House Appropriations Committee. The S&I Staff reports directly to the Chairman of the House Appropriations Committee and is completely separate from other defense committee staff that typically oversee DOD budget requests.

4. Applicability. This instruction applies to all activities and offices that fall under the jurisdiction of the Department of the Navy.

5. Policy. DON policy is to cooperate fully with the HAC S&I Staff.

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All DON activities/offices shall be responsive to requests for information from the HAC S&I Staff, and shall respond to such requests as promptly as possible.

6. Responsibilities.

a. The Appropriations Matters Office (FMBE) in the Office of the Assistant Secretary of the Navy (Financial Management and Comptroller) is the primary liaison to the HAC S&I Staff. FMBE shall:

(1) In accordance with Enclosure (1), draft and disseminate memoranda that announce S&I inquiries. These same memoranda shall also identify appropriate DON action officer(s) for these inquiries following coordination with the appropriate DON staff office.

(2) Provide the name, rank or grade, organization and telephone number of the DON action officer(s) to the Director, Plans & Systems (P&S) in the Office of the Under Secretary of Defense (Comptroller) (OUSD(C)) and S&I investigators.

(3) Provide guidance and assistance, as required, to assigned DON action officers as they coordinate with S&I investigators (i.e. access to information, release of information).

(4) Obtain information, through OUSD(C), that pertains to S&I staff security clearances and provide this information to designated DON action officers.

(5) Issue no cost travel orders to S&I personnel that visit DON activities located in foreign countries so that military transportation may be used.

(6) Contact the Director, Plans & Systems (P&S) OUSD(C) to obtain status of S&I inquiries.

(7) Maintain an official file on S&I inquiries that involve the DON.

b. The DON action officer shall:

(1) Upon designation, initiate contact with the S&I and determine the scope of their subject inquiry within DON.

(2) Review and approve the release of materials, including policy statements, to the S&I Staff after coordination with other interested offices, commands and the Secretariat, as appropriate.

(3) Arrange for S&I visits to DON headquarters offices and field activities and coordinate such visits with organizations having primary or collateral interest in the inquiry. Field activities and ships will be advised of an S&I visit first by telephone, followed by a message, that cites pertinent information. This message should include: the name and security clearance of each S&I investigator, the purpose of the visit, the exact date, time and place of arrival, the DON point of contact and telephone number, and other relevant information. All correspondence dealing with travel of the S&I team must include the Navy Office of Legislative Affairs (Congressional Travel) and FMBE, and appropriate Echelon 1 and 2 commands as information addressees. The Commander, U.S. Pacific Fleet; Commander Fleet Forces Command/U.S. Atlantic Fleet; Commander, Marine Forces, Pacific; and Commander, Marine Forces, Atlantic will also be addressees on such correspondence, as appropriate.

(4) Prepare and submit to FMBE by the 10th of each month, a report on the progress and status of the S&I inquiry. This report will contain:

(a) A concise narrative of the major points of interest expressed by the S&I Staff during the reporting period, with a summary of the content of information provided.

(b) The commands visited.

(c) Planned future visits.

(d) Problems encountered.

activities. (e) Applicable comments from other DON

inquiry. (f) Possible HAC action as a result of the

hearings. (g) Findings that might prompt questions in

(5) Submit a closeout (final status) report to FMBE when the inquiry is complete.

c. DON activities and ships shall upon proper identification and security clearance verification, admit S&I investigators and shall:

(1) Arrange for S&I personnel to meet command personnel or visit other offices or installations.

(2) Provide or arrange for briefings.

(3) Make temporary working space available.

(4) Arrange for access to records and documents. Questions on the release of material should be referred to the designated DON action officer or FMBE.

(5) Promptly draft and submit to the designated DON action officer, with copies to the chain of command and FMBE, a report of the S&I visit that includes:

Staff. (a) Dates of arrival and departure of the S&I

(b) Subject areas discussed.

(c) Problems encountered.

(d) Indicated course of inquiry.

officials. (e) Findings for the attention of management

(f) Observations concerning the investigation.

7. Release of Records and Reports.

a. SECNAVINST 5730.5G and OPNAVINST 5510.158A contain instructions on the release of classified information. Classified information will be furnished to S&I investigating teams only when such information relates to the investigators' task. FMBE will assist, when required, in determining the necessity for furnishing the specific information desired by the S&I. Whenever access to classified information is authorized, each S&I investigator must be advised of the classification level and fully understand the legal requirement to safeguard classified information. S&I investigators are subject to the same statutory penalties for unauthorized disclosure or use of classified information as are officers or employees of the Department of Defense (DoD).

b. The release of business-sensitive information to the S&I is considered on a case-by-case basis. The DON official responsible for the information evaluates each request. DON general policy is that business-sensitive material may be released to S&I investigators if it is within the scope of the inquiry. S&I investigators must sign a document acknowledging receipt of business-sensitive information and acknowledging that they will treat the material as proprietary, business-sensitive information and safeguard its release following the provisions of 18 U.S.C. Section 1905. Requests for access to business-sensitive information that cannot be satisfied or resolved are referred to the Secretary of the Navy (SECNAV) via the chain-of-command.

c. Copies of records and reports relating to the inquiry, survey or investigation should normally be made available to S&I personnel. The physical exchange of sensitive documents will be by the DON action officer except in cases where the information must be cleared through other DON components, the head of the activity involved or the SECNAV. Examples of such information include the following:

(1) Naval Inspector General (NAVINSGEN) reports, the release of which is specifically approved by the NAVINSGEN per SECNAVINST 5430.57F; Marine Corps Inspector General reports which are released by the Commandant of the Marine Corps (CMC); and other reports of inspections, investigations or surveys that pertain to safety or the internal management, administration or operations of the DON which are not available to the general public.

(2) SECNAV policy is that the General Counsel (GC) be promptly advised of all congressional requests for investigative files. The GC must review copies of all files requested at the earliest practicable time prior to taking action on the request. This includes requests for information or documents in investigative files of the Naval Criminal Investigative Service Command and the NAVINSGEN, but does not include requests for audits.

(3) Intelligence reports as to enemy capabilities, readiness of U.S. and Allied Forces, and contingency and operating plans.

(4) Budgetary material, selected program acquisition data, and outyear fiscal projections may not be released to the S&I until submission to the Congress by the President. This will be in February of each year. This material includes all information in the support justification books. However, outyear data contained in Selected Acquisition Reports (SAR)(RCS: DD-A&T(Q&A)823) which have been furnished to Congress may be released prior to release of the President's Budget.

(5) Requests for Program Objective Memorandum (POM) data and for FYDP information, including outyear data on "non-SAR" programs and Program Budget Decisions (PBDs), will be referred to the Director, Program/Budget Coordination Division (FMB-3).

(6) The Auditor General must clear the release of Naval Audit Service (NAVAUDSERV) audit reports.

(7) Requests for information concerning operational plans or support plans involving joint service participation

will be referred to the Office of the Joint Chiefs of Staff for action, per CJCS Instruction 5714.01.

(8) Records of conversations or communications between DON personnel or between DON personnel and representatives of other agencies of the Executive Branch, if the conversations or communications are merely advisory or preliminary in nature and do not represent any final official action. Examples include incomplete or on-going studies relating to logistic support capabilities and facilities.

8. Visits By Investigators. The S&I prefers to visit DoD activities unaccompanied by Headquarters, DON/DoD personnel. Should a notice of visit be transmitted directly from S&I personnel to a field command, the command should promptly advise FMBE and the DON action officer. Refer also to Section 5, paragraph b (3).

9. Action. DON action offices include Assistant SECNAV Offices, Chief of Naval Operations, Commandant of the Marine Corps and headquarters commands.

10. S&I Reports. S&I rarely releases its reports and only then by the authority of the committee chairman that requested the study. Upon notification by the DON Action Officer that an S&I study is completed, FMBE will request via the Director, Plans & Systems OUSD(C), that copies be released.

11. Reports. The reports required by this instruction are exempt from reports controlled by SECNAVINST 5214.2B.

Richard Greco, Jr.  
Assistant Secretary of the Navy  
(Financial Management and Comptroller)

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## SAMPLE ANNOUNCEMENT MEMORANDUM

Month 2005

MEMORANDUM FOR COMMANDER/DIRECTOR XXXXXXXXX

Subj: TITLE OF STUDY

Ref: (a) SECNAVINST 5740.29 of 7 April 2000

Encl:(1) Director HAC S&I Staff Letter of DATE

The announcement of this inquiry is attached as enclosure (1) for information and appropriate action. Based on prior coordination with your office, NAME, TEL NO is the designated Department of the Navy (DON) action officer for this inquiry. Guidance relative to the DON relationship with the House Appropriations Committee on Surveys and Investigations (HAC S&I) and the responsibilities of the DON action officer are provided in reference (a). It is DON policy to cooperate fully with the HAC S&I Staff. All activities and organizations within the Department will make every effort to respond to requests for information as completely and promptly as possible.

Reference (a) requires the submission of a monthly progress and status report from the DON action officer to the Office of the Assistant Secretary of the Navy (Financial Management and Comptroller) (FMBE). The primary purpose of this report is to assist the DON in maintaining a corporate position on issues being surveyed and under investigation. Properly prepared, they are valuable in developing financial plans, budget justification material, congressional testimony and other legislative documentation. The initial report should be submitted to arrive no later than DATE, with future monthly reports due by the 10<sup>th</sup> of each month. All status reports should be unclassified.

For this inquiry, the HAC S&I team membership and clearances are:

NAME - LEVEL OF CLEARANCE



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They can be reached at (703) 697-9371. The DON action officer is responsible for contacting these individuals, introduce the Navy POC for this inquiry, and offer any assistance needed to allow the team to complete their inquiry.

Travel both in and outside the continental United States is typically a part of a survey and investigation effort. As the DON action officer, if the Department is given the lead for this travel, NAME is responsible for arranging and coordinating all visits requested by the team. Visits will be announced by message and sent to all involved activities. At a minimum, the announcements should include the purpose of the visit, the place and date of visit, itinerary, team membership with clearance information. For travel outside the United States, the statement that "STAFFDEL is traveling on official government orders and is authorized medical (at own expense), quarters, messing and exchange privileges". Airlift via any DOD resource has been approved by SECDEF as non-reimbursable airlift as authorized by Paragraph V, A/1,2 and 4 DOD Directive 4514.12 and Chapter 10 DOD Directive 4515.13R", and any other special instructions. Also for travel outside the United States, FMB will publish no cost travel orders for the team, and OLA will arrange all travel when military air is used. Addressees for these announcement messages should also include the DON Office of Legislative Affairs (Congressional Travel), and ASN FM&C (FMBE) for information.

For questions relating to this inquiry, contact XXXXXXXXXX.

XXXXXXX  
Captain, U. S. Navy  
Director, Appropriations Matters  
Office

Copy to:  
OLA  
NAVINSGEN (N4)  
CNO (DNS-1)  
CNO (N82)  
CMC (RF)

